

Appln. No. 10/629,966  
Amendment dated December 4, 2008

**REMARKS**

Reconsideration is respectfully requested.

Entry of the above amendments is courteously requested in order to place all claims in this application in allowable condition and/or to place the non-allowed claims in better condition for consideration on appeal.

Claims 1 through 6, 10, 11, and 13 remain in this application. Claims 7 through 9 and 12 have been cancelled. No claims have been withdrawn. Claim 14 has been added.

**Paragraphs 3 and 4 of the Office Action**

Claims 1 through 11 and 13 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over DeCarmo in view of Ward, III.

Claim 1 has been amended to require, in part:

wherein said user input comprises user selection of on-screen items displayed via said graphical user interface;  
wherein said graphical user interface comprises:  
a first on-screen overlay comprising including a plurality of first user-selectable items, each of the first user-selectable items comprising a representation for an audiovisual content rating and including the content ratings of the first parental control scheme and the second parental control scheme, each audiovisual content rating representation including an indication that the audiovisual content rating is locked or unlocked; and  
a second on-screen overlay including a plurality of second user-selectable items, each of the second user-selectable items comprising a representation for a television channel, each television channel representation including an indication that the television channel is locked or unlocked.

It is submitted that the allegedly obvious combination of DeCarmo and Ward would not lead one of ordinary skill in the art to the requirements of claim 1, particularly with the language set forth above.

Additionally, claim 1 requires, in part, that "the adjustable control parameters of the native parental control system include a first parental

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control scheme and a second parental control scheme, the first parental control scheme being incompatible with the second parental control scheme” and “wherein the control programming allows a user to choose general control parameters of the first parental control scheme and the second parental control scheme.”

The Response to Arguments portion of the final Office Action states that:

On page 6, applicant argues that DeCarmo does not teach two incompatible parental control schemes, and more specifically, two parental control schemes in which the user is able to choose general control parameters of each of the incompatible control schemes. The examiner disagrees.

In column 7 lines 45-55, DeCarmo clearly discloses that an input stream of each input stream device is analyzed by the ratings manager and either granted or denied access based on each input stream's capabilities. Column 4 lines 18-19 and 47-55 disclose a plurality of input devices, ranging from cable and satellite television to a DVD player (each having its own ratings system or other control mechanisms (see col. 7 II. 58-67), where a ratings system or other control mechanism is a type of parental control scheme).

However, these remarks again appear to skirt the issue of whether the DeCarmo patent discloses “incompatible” control schemes, or simply discusses “different” control schemes. Looking to the portion of the DeCarmo patent at col. 7, lines 58 through 67 that is referred to in the Remarks, it states:

During the querying of each input stream of step 412, rating manager 210 attains the following capabilities. The first capability is whether the input stream provides UniqueIDSupport, which indicates if the stream has associated a unique ID and if the stream may only be authenticated by the unique ID. For example, VideoCD has no rating system so it must be authenticated via the unique ID. The next capability includes ParentalControl capabilities. ParentalControl indicates if the stream contains parental control features.

However, nothing here discloses or suggests that there is a first parental control scheme and a second parental control scheme that are “incompatible”. The text here discusses a parental control capability, and

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the lack of a rating system. The absence of a rating system is not an "incompatible" parental control system—it is no system at all. There is no incompatibility stated or implied in DeCarmo between the rating system or "ParentalControl capability", and no system at all.

It is therefore submitted that one of ordinary skill in the art would not understand that the DeCarmo patent discloses first and second parental control schemes that are incompatible, particularly in the portion of the DeCarmo patent relied upon in the Response to Arguments portion of the final Office Action.

Now looking to the rejection of claim 1, it is contended there that:

wherein the adjustable control parameters of the native parental control system include a first parental control scheme and a second parental control scheme, the first parental control scheme being incompatible with the second parental control scheme (column 2 lines 4-7 and lines 9-12 suggest DeCarmo's invention can be implemented with multiple devices having incompatible parental control schemes), and wherein the control programming allows a user to choose general control parameters of the first parental control scheme and the second parental control scheme (column 8 lines 5-10 show an example of how ratings manager 210 can adjust the parental control parameters of a device). Further, in column 7 lines 45-55, DeCarmo clearly discloses that an input stream of each input stream device is analyzed by the ratings manager and either granted or denied access based on each input stream's capabilities. Column 4 lines 18-19 and 47-55 disclose a plurality of input devices, ranging from cable and satellite television to a DVD player (each having its own ratings system or other control mechanisms (see col. 7 ll. 58-67), where a ratings system or other control mechanism is a type of parental control scheme).

However, it is submitted that the DeCarmo patent does not support the allegation set forth in the rejection. More specifically, and looking to the cited portion of DeCarmo at col. 2, DeCarmo states at lines 1 through 14 that:

Limitations of the V-Chip technology as well as the above-referenced patent include being unable to handle picture-in-picture situations where each picture enforces a different rating system. Further, they are not compatible with input devices that have different parental control schemes, in example, digital video disc (DVD).

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Moreover, neither solution provides means for enforcing parental controls on devices without built-in parental enforcement.

Accordingly, what is needed is a parental control method and system for multimedia displays that support differing technologies of parental enforcement as well as providing parental enforcement where none is available.

Here the discussion of "different rating systems" is understood to regard the ratings of different forms of media (e.g., a movie rating system vs. a TV program rating system), and not different threshold ratings for permitted viewing. The discussion of different and incompatible parental control schemes employed on different input devices does not disclose two parental control schemes, and it is submitted that the simple expression of a desire for "a parental control method and system for multimedia displays that support differing technologies of parental enforcement" (without more) does not disclose two parental control schemes in which the user is able to choose general control parameters of each of the incompatible control schemes.

Further, with respect to the requirement that "the control programming allows a user to choose general control parameters of the first parental control scheme and the second parental control scheme", the rejection cites DeCarmo at col. 8, lines 5 through 10, which states that:

For example, if a DVD disc contains "PG-13" and "G" versions of the content and the DVD player was configured to enable PG-13 playback, it would send the PG-13 version. If ratings manager 210 had been configured for "G" content, ratings manager 210 would request that the G version be played instead of the PG-13 version.

However, this portion of the DeCarmo patent does not disclose choosing between first and second parental control schemes (particularly schemes that are incompatible), but merely discusses two alternative settings (e.g., "PG" programming or "G" programming) for the same user selected "acceptable content rating" for the ratings manager of DeCarmo. In other words, DeCarmo here discusses two optional settings for the same acceptable content rating for the ratings manager, rather than two different content

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ratings for the manager. In considering this discussion in DeCarmo, it is submitted that one of ordinary skill in the art would recognize that there are not two "parental control schemes" being described, but two different settings for the same user selected "acceptable content rating".

Further, the portion of DeCarmo at col. 7, lines 58 through 67 now referenced in the rejection was discussed previously.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of DeCarmo and Ward set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claim 1. Further, claims 2 through 11 and 13, which depend from claim 1, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §103(a) rejection of claims 1 through 11 and 13 is therefore respectfully requested.

### CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

GATEWAY, INC.

By



Date:

DEC. 4, 2008

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